



CUDDY LAW FIRM, P.L.L.C.

March 10, 2025

Lorna G. Schofield
United States Courthouse
40 Foley Square
New York, New York 10007

ANDREW K. CUDDY
MANAGING ATTORNEY

BENJAMIN M. KOPP
SENIOR ATTORNEY
FEDERAL LITIGATION TEAM LEADER
(NY)
BKOPP@CUDDYLAWFIRM.COM

PRINCIPAL OFFICE (MAILING ADDRESS)
5693 SOUTH STREET ROAD
AUBURN, NY 13021
(315) 370-4020

OFFICES
VALHALLA, NY | PHILADELPHIA, PA
CLEVELAND, OH | CHARLOTTE, NC

Re: Y.S., et al. v. New York City Dept. of Educ., 24-cv-9711-LGS

Dear Hon. Schofield:

I am one of the attorneys assigned to Plaintiff's above-captioned case at Cuddy Law Firm, P.L.L.C. I write this letter motion with opposing counsel, seeking to file the administrative record under seal, pursuant to Your Honor's Memorandum Endorsement on January 30, 2025. ECF 12.

This matter concerns Y.S.'s daughter Y.F., a minor child with a disability, who has a regularly recognized and established right to privacy concerning the type of documents proposed; namely, the administrative record of an Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400 *et seq.*, impartial due process hearing. Pursuant to Rule I.D of Your Honor's Individual Rules & Practices in Civil Cases, the parties have met and conferred, and understand that the administrative record itself is also replete with Individualized Education Program ("IEP") documents, student assessments, data collection on the student, and similar records that are independently confidential. Notably, in addition to the IDEA and the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. § 1232g, New York's regulations implementing the IDEA require the confidentiality and preservation thereof as to personally identifiable data, information, or records pertaining to students with disabilities. 8 N.Y.C.R.R. §§ 200.2(b)(6), (b)(11)(ii), 200.5(e).

Due to the administrative record's voluminous size, the undersigned will file the proposed sealed document as eleven exhibits:

- Exhibit A is the SRO's Index of the Certified Record to this Court.
- Exhibit B is the SRO's decision.
- Exhibit C is the IHO's decision.
- Exhibit D is the set of pleadings and memoranda that were before the SRO.
- Exhibit E is the certification sent to the SRO.
- Exhibit F is a set of varied hearing documents that the SRO has labeled "Supplemental Documents".
- Exhibit G is the Parent's set of exhibits from the hearing.
- Exhibit H is DOE's set of exhibits from the hearing.

- Exhibit I is the IHO's set of exhibits.
- Exhibit J is the set of hearing transcripts.
- Exhibit K is the correspondence between the SRO and parties.

Thank you for your consideration of this matter.

Respectfully,

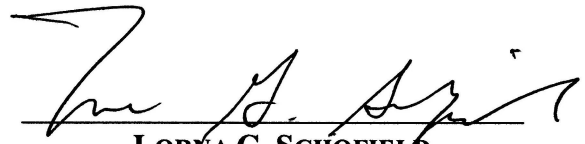
s/ Benjamin M. Kopp

Benjamin M. Kopp, Esq.

Application **GRANTED**. The unredacted versions of the referenced exhibits have already been filed under seal at Dkt. No. 15.

The Clerk of Court is respectfully directed to close the motion at Dkt. No. 14.

Date: April 2, 2025
New York, New York

A handwritten signature in black ink, appearing to read "Lorna G. Schofield", written over a horizontal line.

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE